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VIA ECF

April 9, 2024

Honorable Rachel P. Kovner
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *L.B. v. City of New York et al*, 1:23-CV-08501 (RPK) (JRC)

Your Honor:

We represent Plaintiffs in the above-referenced matter. Pursuant to the Court’s Order dated March 26, 2024, we write in response to the letter requesting that this case and *Gould v. City of New York*, No. 24-cv-1263 (CLP) (the “*Gould* class action”), be designated as related and heard by the same judge [ECF No. 33]. Because we agree the two cases assert similar claims, we do not oppose the Court designating them as related.

As *Gould* counsel details in its letter, this matter and the *Gould* class action both seek municipal liability against the same Defendant, the City of New York, based on the Administration for Children’s Services’ custom, policy, and practice of using coercive tactics to enter and search families’ homes in violation of the Fourth Amendment during the course of investigating allegations of child abuse and neglect.¹

As the Court is aware, there are also differences between Plaintiffs’ allegations in this matter and the allegations in the *Gould* class action. Most notably, this case includes a plaintiff—the minor “Kyle”—who would not be a putative class member in *Gould* and Plaintiffs here assert due process and unlawful seizure claims, including seizures of Kyle at his school, that are not alleged in the *Gould* class action.² Nevertheless, given the overlapping claims, we do not oppose designating the cases as related.

¹ Complaint [ECF No. 1] ¶¶ 32, 49, 61, 65-66, 70, 73, 76, 85, 95, 98-99, 109-10, 208-09, 353-60.

² *Id.* at ¶¶ 9, 33-35, 50-53, 61-62, 103, 114-17, 134-36, 143-44, 164-67, 195-200, 202.

April 9, 2024

Respectfully submitted,

/s/ Robert A. Mantel

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